

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YLIAN SAINT-HILARIE and JAMES EDWARDS

Appeal 2007-1826
Application 09/826,251
Technology Center 2600

Decided: September 19, 2007

Before KENNETH W. HAIRSTON, LANCE LEONARD BARRY,
and ROBERT E. NAPPI, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 of the Final Rejection of claims 1, 2, and 4 through 30. For the reasons stated *infra*, we affirm the Examiner's rejection of these claims.

INVENTION

The invention is directed to a method of using devices in a Bluetooth™ piconet to communicate with each other over a greater distance. The system allows the Bluetooth™ devices that are connected to a non-Radio Frequency network to provide a bridge to another Bluetooth device in another piconet. See page 3 of Appellants' Specification. Claim 1 is representative of the invention and reproduced below:

1. A method comprising:

enumerating a plurality of devices in a first radio frequency network;

communicating address information about the devices in said first radio frequency network over a non-radio frequency network to a second radio frequency network; and

making the address information about the devices in the first radio frequency network available to devices in said second radio frequency network.

REFERENCE

The reference relied upon by the Examiner is:

Walley US 2002/0090961 A1 Jul. 11, 2002
(filed Jan. 5, 2001)

REJECTION AT ISSUE

Claims 1, 2, and 4 through 30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Walley. The Examiner's rejection is set forth on pages 3 through 8 of the Answer.

Throughout the opinion we make reference to the Brief and Reply Brief (filed September 6, 2006 and December 18, 2006 respectively), and the Answer (mailed November 21, 2006) for the respective details thereof.

OPINION

Appellants argue, on page 11 of the Brief, that Walley does not teach two separate networks as recited in the claims.

The Examiner responds on page 8 of the Answer, by finding that Walley teaches bridging two networks in the embodiment of figure 10, described in paragraph 65.

In the Reply Brief, on page 2, Appellants admit that Walley in the embodiment of figure 10 teaches two networks and argue:

Nothing in this reference ever suggests enabling a device in one network to be initialized into another network by communicating address information about devices in the first network over a non-radio frequency network to the second network. The communication suggested in Figure 10 by dotted line 1012, is a radio frequency connection. See paragraph 55. Thus, the cited reference explicitly teaches away from the claimed invention and for this further reason, reversal would be appropriate

Appellants' arguments have not persuaded us of error in the Examiner's rejection. Representative claim 1 recites that there are two radio frequency networks that communicate address information with each other via a non-radio frequency network. The Examiner, relying on paragraphs 0035 and 0036 of

Walley, has found that Walley teaches communicating address information about devices in a first radio frequency network to a second radio frequency network. (Answer 3.) Appellants do not contest this finding. Further, we note that the hand-off procedure to share resources discussed in paragraphs 0030, 0031, and 0055 of Walley also discuss transferring, between base stations, address information of resources. Walley teaches that the method of sharing resources within a network can be extended to sharing resources between two networks, i.e. base stations in networks 1000 and 1020 sharing resources. Figure 10, Paragraph 0055 and 0056. Walley teaches that the base station to base station communication links (shown as items 108 and 110 in figure 1) are via Radio Frequency (RF) links using the Bluetooth™ specification. (Paragraphs 0028 and 0054.) Alternatively, Walley teaches that the links can be wired links such as power line home network links (a non-RF link). (Paragraphs 0028 and 0042.) Thus, we find ample evidence to support the Examiner's finding that Walley discloses "communicating address information about the devices in said first radio frequency network over a non-radio frequency network to a second radio frequency network" as recited in independent claim 1. Accordingly, we affirm the Examiner's rejection of claim 1.

Appellants have not presented separate arguments directed to the other claims on appeal. Accordingly, we group claims 2 and 4 through 30 with claim 1, and similarly affirm the Examiner's rejection of claims 2 and 4 through 30.

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CONCLUSION

The decision of the Examiner is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv) (2006).

AFFIRMED

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TROP PRUNER & HU, P.C.
1616 S. VOSS ROAD, SUITE 750
HOUSTON, TX 77057-2631